

*Waste Programs Environmental Justice
Cross-Cutting Issues*

Native American/ Tribal Issues

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Topic Area: Native American/Tribal Issues

Action Item

Provide technical assistance and resources for Indian Tribes and Native Americans.

Office of Solid Waste

The Office of Solid Waste (OSW) is providing technical assistance and additional resources to Indian Tribes and Native Americans through the following activities:

- OSW appropriated a fiscal year 1994 budget of \$505,000 to provide technical assistance for Resource Conservation and Recovery Act (RCRA) activities on Indian lands;
- OSW has been supporting the development of IndianNet, an electronic bulletin board that provides information and news on Indian issues;
- OSW and the Regions formed a workgroup to develop a proposed rule that would provide Tribes an opportunity for RCRA Subtitle C (hazardous waste) authorization;
- OSW sponsored the Second National Tribal Conference on Environmental Management in fiscal year 1994;
- OSW's Indian Programs Manager is a member of the Interagency Task Force that meets to exchange information on environmental issues relating to Tribes and OSW provided grant funds to Regions 8, 9, and 10 to promote interagency cooperation, and
- OSW joined together with ACTION, the Corporation for National Service, and Native Alaskan non-profit regional corporations to place Volunteers in Service to America (VISTA) and AmeriCorps volunteers in Native Alaskan villages to work on solid waste management issues.

[Note: More detail on these entries is reported under the RCRA topic area.]

Office of Underground Storage Tanks

The Office of Underground Storage Tanks (OUST) requested Congressional authority to give Leaking Underground Storage Tank (LUST) Trust Fund monies to Indian Tribes.

[Note: More detail on this entry is reported under the Underground Storage Tank (UST) topic area.]

Office of Emergency and Remedial Response

The Office of Emergency and Remedial Response's (OERR) Superfund Tribal Involvement Program continues to work with Native Americans to involve them in the Superfund cleanup process more effectively. [Note: More detail on this entry is reported

under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) topic area.]

Region 2

Region 2 is providing technical assistance to Indian Tribes for the management of solid waste and USTs and is identifying the appropriate mechanisms for multi-media environmental management program support to Indian Tribes. [Note: More detail on this entry is reported under the UST topic area.]

Region 4

Region 4 is providing technical assistance to Indian Tribes for the RCRA Subtitle D (solid waste) program and initiated a program to provide funds and technical assistance for solid waste disposal. [Note: More detail on this entry is reported under the RCRA topic area.]

Region 5

The Region 5 RCRA Environmental Justice Coordinator participated in a national workgroup to make Tribes eligible to receive section 3011 grants and also participates in a subcommittee to establish funding criteria for Tribes.

Also, the RCRA Subtitle D program awarded four additional solid waste grants to Indian Tribes, including amending the Michigan Inter-Tribal Council's grant to provide additional funding for community recycling education at the Saginaw-Chippewa Reservation.

To continue its ongoing efforts to maintain lines of communication between appropriate Federal agencies and to better coordinate solid waste projects, the Solid Waste Tribal Coordinator participated in meetings of the Federal Tribal Solid Waste Task Force, reviewed and commented on the Bureau of Indian Affairs (BIA) draft priority ranking system for solid waste projects, and participated in conference calls for the Federal Tribal Solid Waste Task Force. The Solid Waste Tribal Coordinator also completed a Federal solid waste strategy which summarized Tribal solid waste needs, Federal funding sources, and Federal technical assistance sources and recommended actions for Federal agencies in 1994.

Completed Milestones

2-9/94 Attended Federal Solid Waste Task Force meetings.

Contacts

Margaret Millard, (313) 353-1440 (RCRA-C)

Jennifer Manville, (312) 886-7599 (RCRA-D and Solid Waste Tribal Coordinator)

[Note: Parts of this entry are also reported under the RCRA topic area.]

Region 6

Region 6 is providing technical assistance to Indian Tribes for the RCRA Subtitle D (solid waste) program and has provided more than 23 percent of all grant funds to Indian Tribes for pilot projects to help start effective solid waste management on Indian lands. In January 1995, Region 6 and Headquarters hosted a “regionalization” conference in Albuquerque, New Mexico, to promote cooperation between Indians and non-Indians in addressing solid waste disposal concerns. Region 6 invited all Tribes and small municipalities in New Mexico. The purpose of the conference was to demonstrate the advantages gained by entering into cooperative agreements (CAs) between Tribes and municipalities because CAs can potentially increase populations served and reduce per capita costs. The Cherokee Nation of Oklahoma also submitted draft copies of its environmental laws, solid waste disposal facility regulations, and solid waste management plans to Region 6 for review and comment.

Completed Milestones

- 2/94 Cherokee Nation submitted draft of environmental laws and regulations to Region 6.
- 1/95 Held “Regionalization” conference.

Contact

Verne McFarland, (214) 665-6617

In addition, the Region 6 OUST provided technical assistance to the Santa Clara Indian Pueblo in Espanola, New Mexico. [Note: More detail on this entry is reported under the UST topic area.]

In another initiative, Region 6 is identifying a non-National Priorities List (NPL) site on or affecting Tribal lands as a pilot site for the Technical Outreach Services for Communities (TOSC) program. This program is part of a Headquarters grant to the Hazardous Substance Research Center - South & Southwest (HSRC-S&SW) at Georgia Technical University. TOSC staff from HSRC-S&SW met with the Pueblo Office of Environmental Protection (POEP) and agreed to support a technical assistance and outreach effort for the Tribal community affected by contamination from the closed Taos, New Mexico, Landfill. After the new All-Pueblo Council elected its governing body in January 1995, the POEP introduced TOSC staff to the Council and requested the Council’s approval of the proposed technical assistance and outreach effort. The Council approved the TOSC outreach effort and TOSC began providing technical assistance to POEP in its communication and outreach efforts.

Completed Milestones

- 9/94 Selected TOSC pilot.
- 10/94 Implemented TOSC outreach program.
- 1/95 Met with the All-Pueblo Council.
- 1/95 Received council approval for POEP outreach.
- 2/95 Began providing technical assistance to POEP.

Contact

Verne McFarland, (214) 665-6617

Region 6 also has established a multi-media workgroup that specifically focuses on funding Native American environmental programs through EPA grants. The workgroup meets weekly and is instrumental in focusing Region 6 efforts to improve Tribal environmental protection, to take primary responsibility for the oversight of the Region's Indian programs, and to ensure consistency and timeliness in implementation. The workgroup reviews Regional efforts to build response capacity in Tribes for addressing environmental issues and to ensure timely funding of cooperative agreements between the Region and the Tribes.

Region 6 also negotiated the Inter-Tribal Environmental Council of Oklahoma Cooperative Agreement, a program classified as a minority business enterprise accomplishment.

Completed Milestones

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| 7/94 | Established multi-media workgroup. |
| 9/94 | Negotiated Inter-Tribal Environmental Council of Oklahoma cooperative agreement. |

Contact

Verne McFarland, (214) 665-6617

Region 7

Region 7 has initiated the following activities to ensure that its programs provide technical and financial assistance to Indian Tribes:

- Implementing general assistance agreements with each Tribe to address solid waste and UST/LUST activities;
- Providing assistance to address dump closing, and the closure and removal of USTs;
- Reviewing environmental codes and ordinances submitted by the Omaha, Santee Sioux, and Winnebago Tribes to ensure that they include solid waste requirements;
- Assisting Tribes in applying for education grants to fund and conduct household hazardous waste education, and
- Assisting Tribes in applying for pollution prevention environmental justice financial assistance grants.

Region 7 is also working with the BIA and Indian Health Services (IHS) to provide technical and financial assistance to the Tribes through interagency agreements (IAGs) and by providing funds for a circuit rider to assist Tribes with solid waste, hazardous waste, and UST issues. Region 7 funded the Tribal circuit rider position using solid waste and UST/LUST funding for fiscal year 1995. Region 7 is also adding funds to the BIA/EPA interagency agreement to support the attendance and participation of Tribal personnel at environmental meetings, training, and conferences.

Completed Milestones

1/95 Funded circuit rider to assist Tribes.

Contact

Althea Moses, (913) 551-7649

Region 8

Region 8 assisted State and Tribal enforcement programs in complying with UST leak detection requirements by taking direct Federal action both on and off Indian lands. [Note: More detail on this entry is reported under the UST topic area.]

Region 9

Region 9 organized two workgroups primarily comprised of representatives from BIA and Department of Health and Human Services (HHS). One of the workgroups addresses Tribal solid waste concerns in California and the other addresses the same concerns in Nevada and Arizona. The Nevada/Arizona workgroup also has Tribal representation from the Inter-Tribal Councils of Nevada and Arizona. The purpose of these two workgroups is to exchange information and target Tribes to receive assistance.

Completed Milestones

10/94 California workgroup selected top 10 sites.
11/94 Conducted workgroup meeting.
2/95 Conducted workgroup meeting.
3/95 Conducted workgroup meeting.

Contact

Rebecca Jamison, (415) 744-2098

Region 10

Region 10 is providing technical assistance and additional resources to Indian Tribes and Native Americans through the following activities:

- Region 10's Indian Coordinator assisted Tribes in organizing conferences on environmental issues;
- The RCRA program provided \$15,000 in scholarship funds for Tribes to attend the National Recycling Congress;
- Region 10 is using Senior Environmental Employee circuit riders to conduct outreach and technical assistance to Tribes and Native Alaskan villages;
- The Region's solid waste circuit rider is working with the Nooksack, Coeur d'Alene, and other Tribes to investigate their complaints about old dumps and/or illegal dumps;

- The Region is implementing a Solid Waste Network that is composed of representatives from various Federal agencies;
- Region 10 established a Native Alaskan Villager workgroup to provide technical assistance and coordinate policy issues, concerns, and responses related to multi-media issues;
- The RCRA Solid Waste Program has continued to provide Regional input and oversight for three Volunteers in Service to America (VISTA) volunteers placed in rural Alaska;
- The RCRA program supports Alaskan waste management through several grant-funded programs including a \$116,000 multi-year grant to the Chugachmiut organization to design a model for managing household hazardous waste in rural Alaska; and
- The Indian Coordinator and Region 10 Executive Team established a number of new positions with the goal of improving delivery of services, outreach, grant management, and technical assistance to Tribes.

[Note: More detail on these entries is reported under the RCRA topic area.]